

cers or employees designated under this section and vested with a regulatory function or part thereof delegated under this section. The Secretary may at any time revoke the whole or any part of a delegation or designation made by him under this section.

(Apr. 4, 1940, ch. 75, §2, 54 Stat. 81; Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, 650.)

#### CODIFICATION

Section was formerly classified to section 516b of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### AMENDMENTS

1966—Pub. L. 89-554 repealed third sentence which related to grade of a position. See section 5109 of Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450c, 450e, 450f, 450g of this title; title 5 section 5109.

### § 450e. Authority of designated employees; retroactive revocation of delegation

Whenever a delegation is made under section 450d of this title, all provisions of law shall be construed as if the regulatory function or the part thereof delegated had (to the extent of the delegation) been vested by law in the individual to whom the delegation is made, instead of in the Secretary of Agriculture. A revocation of delegation shall not be retroactive, and each regulatory function or part thereof performed (within the scope of the delegation) by such individual prior to the revocation shall be considered as having been performed by the Secretary.

(Apr. 4, 1940, ch. 75, §3, 54 Stat. 82.)

#### CODIFICATION

Section was formerly classified to section 516c of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450c, 450g of this title.

### § 450f. Delegation of functions under other laws as unaffected

The provisions of section 450d of this title shall not be deemed to prohibit the delegation, under authority of any other provision of law, of the whole or any part of any regulatory function or other function to any officer or employee of the Department of Agriculture.

(Apr. 4, 1940, ch. 75, §4, 54 Stat. 82.)

#### CODIFICATION

Section was formerly classified to section 516d of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450c, 450g of this title.

### § 450g. Authorization of appropriations for cooperative research projects

There is authorized to be appropriated such sums as may be necessary to carry out the purposes of sections 450c to 450g of this title.

(Apr. 4, 1940, ch. 75, §5, 54 Stat. 82.)

#### CODIFICATION

Section was formerly classified to section 516e of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 450c of this title.

### § 450h. Transferred

#### CODIFICATION

Section, act July 24, 1919, ch. 26, 41 Stat. 270, as amended, was transferred to section 2220 of this title.

Section was formerly classified to sections 67 and 564 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

### § 450i. Competitive, special, and facilities research grants

#### (a) Establishment of grant program

(1) In order to promote research in food, agriculture, and related areas, a research grants program is hereby established in the Department of Agriculture.

(2) SHORT TITLE.—This section may be cited as the “Competitive, Special, and Facilities Research Grant Act”.

#### (b) Competitive grants

(1) The Secretary of Agriculture is authorized to make competitive grants, for periods not to exceed five years, to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, national laboratories, private organizations or corporations, and individuals, for research to further the programs of the Department of Agriculture. To the greatest extent possible the Secretary shall allocate these grants to high priority research taking into consideration, when available, the determinations made by the National Agricultural Research, Extension, Education, and Economics Advisory Board (as established under section 3123 of this title) identifying high priority research areas.

(2) HIGH PRIORITY RESEARCH.—For purposes of this subsection, the term “high priority research” means basic and applied research that focuses on both national and multistate research needs (and methods to transfer such research to onfarm or inmarket practice) in—

(A) plant systems, including plant genome structure and function; molecular and cellular genetics and plant biotechnology; plant-pest interactions and biocontrol systems; crop plant response to environmental stresses; unproved nutrient qualities of plant products; and new food and industrial uses of plant products;

(B) animal systems, including aquaculture, cellular and molecular basis of animal reproduction, growth, disease, and health; identi-

fication of genes responsible for improved production traits and resistance to disease; improved nutritional performance of animals; and improved nutrient qualities of animal products, and uses, and the development of new and improved animal husbandry and production systems that take into account production efficiency and animal well-being, and animal systems applicable to aquaculture;

(C) nutrition, food quality, and health, including microbial contaminants and pesticides residues related to human health; links between diet and health; bioavailability of nutrients; postharvest physiology and practices; and improved processing technologies;

(D) natural resources and the environment, including fundamental structures and functions of ecosystems; biological and physical bases of sustainable production systems; minimizing soil and water losses and sustaining surface water and ground water quality; global climate effects on agriculture; forestry; and biological diversity;

(E) engineering, products, and processes, including new uses and new products from traditional and non-traditional crops, animals, by-products, and natural resources; robotics, energy efficiency, computing, and expert systems; new hazard and risk assessment and mitigation measures; and water quality and management; and

(F) markets, trade, and policy, including optional strategies for entering and being competitive in overseas markets; new decision tools for onfarm and inmarket systems; choices and applications of technology; technology assessment; and new approaches to rural economic development.

(3) TYPES OF GRANTS.—In addition to making research grants under paragraph (1), the Secretary may conduct a program to improve research capabilities in the agricultural, food, and environmental sciences and award the following categories of competitive grants:

(A) Grants may be awarded to a single investigator or coinvestigators within the same discipline.

(B) Grants may be awarded to teams of researchers from different areas of agricultural research and scientific disciplines.

(C) Grants may be awarded to multidisciplinary teams that are proposing research on long-term applied research problems, with technology transfer a major component of all such grant proposals.

(D) Grants may be awarded to an institution to allow for the improvement of the research, development, technology transfer, and education capacity of the institution through the acquisition of special research equipment and the improvement of agricultural education and teaching. The Secretary shall use not less than 25 percent, and not more than 40 percent, of the funds made available for grants under this subparagraph to provide fellowships to outstanding pre- and post-doctoral students for research in the agricultural sciences.

(E) Grants may be awarded to single investigators or coinvestigators who are beginning their research careers and do not have an extensive research publication record. To be eli-

gible for a grant under this subparagraph, an individual shall be within 5 years of the individual's initial career track position.

(F) Grants may be awarded to ensure that the faculty of small and mid-sized institutions who have not previously been successful in obtaining competitive grants under this subsection receive a portion of the grants.

(4) TERM.—The term of a competitive grant made under this subsection may not exceed 5 years.

(5) DIRECTOR.—The Secretary shall appoint a director for the grant program authorized by this subsection. The Secretary, acting through the director, shall be responsible for the overall direction of the grant program and implementation of general policies respecting the management and operation of programs and activities in the program.

(6) PARTICIPATION IN GRANT PROCESS.—In seeking proposals for grants under this subsection and in performing peer review evaluations of such proposals, the Secretary shall seek the widest participation of qualified scientists in the Federal Government, colleges and universities, State agricultural experiment stations, and the private sector.

(7) CONSTRUCTION PROHIBITED.—A grant made under paragraph (1) may not be used for any purpose for which a grant may be made under subsection (d) of this section or for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(8) MATCHING FUNDS.—(A) Except as provided in subparagraph (B), the Secretary may not take the offer or availability of matching funds into consideration in making a grant under this subsection.

(B) In the case of grants under paragraph (3)(D), the amount provided under this subsection may not exceed 50 percent of the cost of the special research equipment or other equipment acquired. The Secretary may waive all or part of the matching requirement under this subparagraph in the case of a smaller college or university (as described in section 2204f(c)(2)(C)(ii) of this title) if the equipment to be acquired costs not more than \$25,000 and has multiple uses within a single research project or is usable in more than 1 research project.

(9) ANNUAL REPORT.—The Secretary shall transmit to Congress an annual report describing the policies, priorities, and operations of the grant program authorized by this subsection during the preceding fiscal year. The report shall—

(A) include a description of the progress being made to comply with subsection (j) of this section; and

(B) be transmitted not later than January 1 of each year.

(10) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$150,000,000 for fiscal year 1991, \$275,000,000 for fiscal year 1992, \$350,000,000 for fiscal year 1993, \$400,000,000 for fiscal year 1994, and \$500,000,000 for each of fiscal years 1995 through 2002, of which each fiscal year—

(A) not less than 10 percent for fiscal year 1991, 20 percent for fiscal year 1992, and 30 per-

cent for fiscal year 1993 and each fiscal year thereafter shall be available to make grants for research to be conducted by multidisciplinary teams;

(B) not less than 40 percent shall be available to make grants for research to be conducted by persons conducting mission-linked systems research;

(C) not less than 10 percent shall be available to make grants under subparagraphs (D) and (F) of paragraph (3) for awarding grants in research and education strengthening and research opportunity;

(D) not more than two percent may be used for equipment grants under subparagraph (3)(D); and

(E) not more than four percent may be retained by the Secretary to pay administrative costs incurred by the Secretary in carrying out this subsection.

(11) **AVAILABILITY OF FUNDS.**—Funds made available under paragraph (10) shall be available for obligation for a 2-year period beginning on October 1 of the fiscal year for which the funds are made available.

### (c) Special grants

(1) The Secretary of Agriculture may make grants, for periods not to exceed 3 years—

(A) to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals for the purpose of conducting research, extension, or education activities to facilitate or expand promising breakthroughs in areas of the food and agricultural sciences of importance to the United States; and

(B) to State agricultural experiment stations, land-grant colleges and universities, research foundations established by land-grant colleges and universities, colleges and universities receiving funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), and accredited schools or colleges of veterinary medicine for the purpose of facilitating or expanding ongoing State-Federal food and agricultural research, extension, or education programs that—

(i) promote excellence in research, extension, or education on a regional and national level;

(ii) promote the development of regional research centers;

(iii) promote the research partnership between the Department of Agriculture, colleges and universities, research foundations, and State agricultural experiment stations for regional research efforts; and

(iv) facilitate coordination and cooperation of research, extension, or education among States through regional grants.

(2) **LIMITATIONS.**—The Secretary may not make a grant under this subsection—

(A) for any purpose for which a grant may be made under subsection (d) of this section; or

(B) for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

(3) **MATCHING FUNDS.**—Grants made under this subsection shall be made without regard to matching funds.

(4) **SET ASIDES.**—Of amounts appropriated for a fiscal year to carry out this subsection—

(A) ninety percent of such amounts shall be used for grants for regional research projects; and

(B) four percent of such amounts may be retained by the Secretary to pay administrative costs incurred by the Secretary to carry out this subsection.

(5) **REVIEW REQUIREMENTS.**—

(A) **RESEARCH ACTIVITIES.**—The Secretary shall make a grant under this subsection for a research activity only if the activity has undergone scientific peer review arranged by the grantee in accordance with regulations promulgated by the Secretary.

(B) **EXTENSION AND EDUCATION ACTIVITIES.**—The Secretary shall make a grant under this subsection for an extension or education activity only if the activity has undergone merit review arranged by the grantee in accordance with regulations promulgated by the Secretary.

(6) **REPORTS.**—

(A) **IN GENERAL.**—A recipient of a grant under this subsection shall submit to the Secretary on an annual basis a report describing the results of the research, extension, or education activity and the merit of the results.

(B) **PUBLIC AVAILABILITY.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), on request, the Secretary shall make the report available to the public.

(ii) **EXCEPTIONS.**—Clause (i) shall not apply to the extent that making the report, or a part of the report, available to the public is not authorized or permitted by section 552 of title 5 or section 1905 of title 18.

### (d) Facilities grants

The Secretary of Agriculture shall make annual grants to support the renovation and refurbishment (including energy retrofitting) of research spaces in buildings or spaces to be used for research, and the purchase and installation of fixed equipment in such spaces. Such grants may be used for new construction only for auxiliary facilities and fixed equipment used for research in such facilities, such as greenhouses, insectaries, and research farm structures and installations. Such grants shall be made to—

(1) each State agricultural experiment station in an amount of \$100,000 or an amount which is equal to 10 per centum of the funds received by such station under the Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i), and the Act of October 10, 1962 (76 Stat. 806–807, as amended; 16 U.S.C. 582a, 582a–1–582a–7), whichever is greater: *Provided*, That of any amount in excess of \$50,000 made available under this paragraph during any year for allotment to a State agricultural experiment station, no payment thereof shall be made in excess of the amount which the station makes available during that year for the purposes for which grants under this paragraph are made available;

(2) each accredited college of veterinary medicine and State agricultural experiment station which receives funds from the Federal Government for animal health research, in an amount which is equal to 10 per centum of the animal health research funds received by such college or experiment station from the Federal Government during the previous fiscal year;

(3) each forestry school not described in paragraph (1) of this subsection, which is eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), in an amount which is equal to 10 per centum of the funds received by such school under that Act; and

(4) each college eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee Institute, in an amount which is equal to 10 per centum of the funds received by such college under section 3222 of this title.

Any college or State agricultural experiment station eligible for annual grants under this subsection may elect to defer the receipt of an annual grant for any fiscal year for up to five years: *Provided*, That the total amounts deferred may not exceed \$1,000,000. Application may be made for receipt of deferred grants at any time during the five years, subject to the matching funds requirement of this subsection and the availability of appropriations under this subsection.

**(e) Inter-Regional Research Project Number 4**

(1) The Secretary of Agriculture shall establish an Inter-Regional Research Project Number 4 (hereinafter referred to in this subsection as the "IR-4 Program") to assist in the collection of residue and efficacy data in support of—

(A) the registration or reregistration of minor use pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); and

(B) tolerances for residues of minor use chemicals in or on raw agricultural commodities under sections 346a and 348 of title 21.

(2) The Secretary shall carry out the IR-4 Program in cooperation with the Administrator of the Environmental Protection Agency, State agricultural experiment stations, colleges and universities, extension services, private industry, and other interested parties.

(3) In carrying out the IR-4 Program, the Secretary shall give priority to registrations, reregistrations, and tolerances for pesticide uses related to the production of agricultural crops for food use.

(4) As part of carrying out the IR-4 Program, the Secretary shall—

(A) participate in research activities aimed at reducing residues of pesticides registered for minor agricultural use;

(B) develop analytical techniques applicable to residues of pesticides registered for minor agricultural use, including automation techniques and validation of analytical methods; and

(C) coordinate with other programs within the Department of Agriculture and the Environmental Protection Agency designed to develop and promote biological and other alternative control measures.

(5) The Secretary shall prepare and submit, to appropriate Committees of Congress, a report on an annual basis that contains—

(A) a listing of all registrations, reregistrations, and tolerances for which data has been collected in the preceding year;

(B) a listing of all registrations, reregistrations, and tolerances for which data collection is scheduled to occur in the following year, with an explanation of the priority system used to develop this list; and

(C) a listing of all activities the IR-4 Program has carried out pursuant to paragraph (4).

(6) The Secretary shall submit to Congress not later than November 28, 1991, a report detailing the feasibility of requiring recoupment of the costs of developing residue data for registrations, reregistrations, or tolerances under this program. Such recoupment shall only apply to those registrants which make a profit on such registration, reregistration, or tolerance subsequent to residue data development under this program. Such report shall include:

(A) an analysis of possible benefits to the IR-4 Program of such a recoupment;

(B) an analysis of the impact of such a payment on the availability of registrants to pursue registrations or reregistrations of minor use pesticides; and

(C) recommendations for implementation of such a recoupment policy.

(7) There are authorized to be appropriated \$25,000,000 for fiscal year 1991, and such sums as are necessary for subsequent fiscal years to carry out this subsection.

**(f) Record keeping**

Each recipient of assistance under this section shall keep such records as the Secretary of Agriculture shall, by regulation, prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grants, the total cost of the project or undertaking in connection with which such funds are given or used, and the amount of that portion of the costs of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary of Agriculture and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this section.

**(g) Limits on overhead costs**

The Secretary of Agriculture shall limit allowable overhead costs, with respect to grants awarded under this section, to those necessary to carry out the purposes of the grants.

**(h) Authorization of appropriations**

Except as otherwise provided in subsections (b) and (e) of this section, there are hereby authorized to be appropriated such sums as are necessary to carry out this section.

**(i) Rules**

The Secretary of Agriculture may issue such rules and regulations as the Secretary deems necessary to carry out this section.

**(j) Application of other laws**

The Federal Advisory Committee Act and title XVIII of the Food and Agriculture Act of 1977 (7 U.S.C. 2281 et seq.) shall not apply to a panel or board created for the purpose of reviewing applications or proposals submitted under this section.

**(k) Emphasis on sustainable agriculture**

The Secretary of Agriculture shall ensure that grants made under subsections (b) and (c) of this section are, where appropriate, consistent with the development of systems of sustainable agriculture. For purposes of this section, the term “sustainable agriculture” has the meaning given that term in section 3103(17) of this title.

(Pub. L. 89–106, § 2, Aug. 4, 1965, 79 Stat. 431; Pub. L. 95–113, title XIV, § 1414, Sept. 29, 1977, 91 Stat. 991; Pub. L. 97–98, title XIV, § 1415, Dec. 22, 1981, 95 Stat. 1303; Pub. L. 99–198, title XIV, § 1409, Dec. 23, 1985, 99 Stat. 1546; Pub. L. 101–624, title XIV, § 1497, title XVI, §§ 1615, 1616, Nov. 28, 1990, 104 Stat. 3630, 3729, 3732; Pub. L. 102–237, title IV, § 401, Dec. 13, 1991, 105 Stat. 1862; Pub. L. 104–66, title I, § 1011(v), Dec. 21, 1995, 109 Stat. 711; Pub. L. 104–127, title VIII, § 885, Apr. 4, 1996, 110 Stat. 1179; Pub. L. 105–185, title II, §§ 211, 212, title III, § 301(f), title VI, § 606(h), June 23, 1998, 112 Stat. 536, 563, 604.)

## REFERENCES IN TEXT

Act of March 2, 1887 (24 Stat. 440–442, as amended; 7 U.S.C. 361a–361i), referred to in subsec. (d)(1), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, popularly known as the Hatch Act of 1887, which is classified generally to sections 361a to 361i of this title. For complete classification of this Act to the Code, see Short Title note set out under section 361a of this title and Tables.

Act of October 10, 1962, referred to in subsecs. (c)(1)(B) and (d)(1), (3), is Pub. L. 87–788, Oct. 10, 1962, 76 Stat. 806, as amended, known as the McIntire-Stennis Act of 1962, which is classified generally to subchapter III (§ 582a et seq.) of chapter 3 of Title 16, Conservation. For complete classification of this Act to the Code, see Tables.

Act of August 30, 1890 (7 U.S.C. 321 et seq.), referred to in subsec. (d)(4), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§ 321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

The Federal Insecticide, Fungicide, and Rodenticide Act, referred to in subsec. (e)(1)(A), is act June 25, 1947, ch. 125, as amended generally by Pub. L. 92–516, Oct. 21, 1972, 86 Stat. 973, which is classified generally to subchapter II (§ 136 et seq.) of chapter 6 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 136 of this title and Tables.

The Federal Advisory Committee Act, referred to in subsec. (j), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Food and Agriculture Act of 1977, referred to in subsec. (j), is Pub. L. 95–113, Sept. 29, 1977, 91 Stat. 913, as amended. Title XVIII of the Act is classified generally to chapter 55A (§ 2281 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 1977 Amendment note set out under section 1281 of this title and Tables.

## AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105–185, §§ 211(1), 606(h)(1), in first sentence, inserted “national laboratories,”

after “Federal agencies,” and in second sentence, substituted “National Agricultural Research, Extension, Education, and Economics Advisory Board (as established under section 3123 of this title)” for “Joint Council on Food and Agricultural Sciences and the National Agricultural Research and Extension Users Advisory Board”.

Subsec. (b)(2). Pub. L. 105–185, § 211(2), substituted “multistate” for “regional” in introductory provisions.

Subsec. (b)(3)(E). Pub. L. 105–185, § 211(3), substituted “an individual shall be within 5 years of the individual’s initial career track position” for “an individual shall have less than 5 years of post-graduate research experience” in second sentence.

Subsec. (b)(8)(B). Pub. L. 105–185, § 211(4), substituted “the cost of” for “the cost” and inserted at end “The Secretary may waive all or part of the matching requirement under this subparagraph in the case of a smaller college or university (as described in section 2204f(c)(2)(C)(ii) of this title) if the equipment to be acquired costs not more than \$25,000 and has multiple uses within a single research project or is usable in more than 1 research project.”

Subsec. (b)(10). Pub. L. 105–185, § 301(f), substituted “2002” for “1997” in introductory provisions.

Subsec. (c)(1). Pub. L. 105–185, § 212(1)(A), substituted “3 years” for “5 years” in introductory provisions.

Subsec. (c)(1)(A). Pub. L. 105–185, § 212(1)(B), inserted “, extension, or education activities” after “conducting research”.

Subsec. (c)(1)(B). Pub. L. 105–185, § 212(1)(C)(i), inserted “, extension, or education” after “agricultural research” in introductory provisions.

Subsec. (c)(1)(B)(i). Pub. L. 105–185, § 212(1)(C)(ii), inserted “, extension, or education” after “research”.

Subsec. (c)(1)(B)(iv). Pub. L. 105–185, § 212(1)(C)(iii), substituted “, extension, or education among States through regional” for “among States through regional research”.

Subsec. (c)(5), (6). Pub. L. 105–185, § 212(2), added pars. (5) and (6).

Subsec. (l). Pub. L. 105–185, § 606(h)(2), struck out heading and text of subsec. (l). Text read as follows: “The Secretary of Agriculture may consult with the Agricultural Science and Technology Review Board regarding the policies, priorities, and operation of subsections (b) and (c) of this section.”

1996—Subsec. (b)(10). Pub. L. 104–127, § 885(a)(1), substituted “each of fiscal years 1995 through 1997” for “fiscal year 1995” in introductory provisions.

Subsec. (b)(10)(B). Pub. L. 104–127, § 885(a)(2), substituted “40 percent” for “20 percent”.

Subsec. (b)(11). Pub. L. 104–127, § 885(b), added par. (11). 1995—Subsecs. (l), (m). Pub. L. 104–66 redesignated subsec. (m) as (l) and struck out former subsec. (l) which directed Secretary of Agriculture to submit annual reports to Congress on competitive grant and special grant awards.

1991—Subsec. (a). Pub. L. 102–237, § 401(a), designated existing provisions as par. (1) and added par. (2).

Subsec. (b)(10). Pub. L. 102–237, § 401(b)(1), struck out “and” after “1993.”

Subsec. (e). Pub. L. 102–237, § 401(b)(2)(A), substituted “Inter-Regional Research Project Number 4” for “Record keeping” as heading.

Subsec. (e)(1). Pub. L. 102–237, § 401(b)(2)(B), substituted “this subsection” for “this section” in introductory provisions.

Subsec. (e)(2) to (4). Pub. L. 102–237, § 401(b)(2)(C), substituted “IR-4 Program” for “IR-4 program”.

Subsec. (e)(5)(B). Pub. L. 102–237, § 401(b)(2)(D), substituted “registrations,” for “registration,” and inserted “and” at end.

Subsec. (e)(5)(C). Pub. L. 102–237, § 401(b)(2)(C), substituted “IR-4 Program” for “IR-4 program”.

Subsec. (e)(6). Pub. L. 102–237, § 401(b)(2)(E), substituted “not later than November 28, 1991,” for “within one year of November 28, 1990,” and inserted a comma after “reregistrations” in first sentence.

Subsec. (e)(6)(A). Pub. L. 102–237, § 401(b)(2)(C), substituted “IR-4 Program” for “IR-4 program”.

Subsec. (e)(7). Pub. L. 102-237, § 401(b)(2)(B), substituted “this subsection” for “this section”.

Subsec. (f). Pub. L. 102-237, § 401(b)(3), substituted “Record keeping” for “Limits on overhead costs” as heading.

Subsec. (g). Pub. L. 102-237, § 401(b)(4), substituted “Limits on overhead costs” for “Authorization of appropriations” as heading.

Subsec. (h). Pub. L. 102-237, § 401(b)(5), substituted “Authorization of appropriations” for “Rules” as heading and “subsections (b) and (e) of this section” for “subsection (b) of this section” and struck out “the provisions of” after “to carry out”.

Subsec. (i). Pub. L. 102-237, § 401(b)(6), substituted “Rules” for “Application of other laws” as heading, substituted “may” for “is authorized to”, and struck out “the provisions of” after “to carry out”.

Subsec. (j). Pub. L. 102-237, § 401(b)(7), (8), inserted “Application of other laws” as heading and redesignated another subsec. (j), relating to emphasis on sustainable agriculture, as (k).

Subsecs. (k) to (m). Pub. L. 102-237, § 401(b)(8), redesignated subsecs. (j) to (l), as added by Pub. L. 101-624, § 1615(b), as (k) to (m), respectively.

1990—Pub. L. 101-624, § 1615(c)(1), inserted “Competitive, special, and facilities research grants” as section catchline.

Subsec. (a). Pub. L. 101-624, § 1615(c)(1), inserted heading.

Subsec. (b). Pub. L. 101-624, § 1615(a), inserted heading, designated first two sentences of existing text as par. (1), added pars. (2) to (10), and struck out former similar provisions which identified “high priority research” as well as provisions relating to the awarding, administration, and funding of such research.

Subsec. (c). Pub. L. 101-624, § 1616, amended subsec. (c) generally, designating former introductory text as par. (1), redesignating former pars. (1) and (2) as subpars. (A) and (B), respectively, and in subpar. (A), expanding the entities which may receive grants under this subsection to include all colleges and universities, other research institutions and organizations, Federal agencies, private organizations or corporations, and individuals for the purpose of conducting research in areas of food and agriculture important to the U.S., and designating former closing provisions as pars. (2) through (4), and in par. (4), inserting provisions requiring that ninety percent of the amounts appropriated for a fiscal year under this subsection be used for regional research projects.

Subsec. (d). Pub. L. 101-624, § 1615(c)(2), inserted heading.

Subsec. (e). Pub. L. 101-624, §§ 1497(1), (2), 1615(c)(3), added subsec. (e), inserted heading, and redesignated former subsec. (e) as (f).

Subsec. (f). Pub. L. 101-624, §§ 1497(1), 1615(c)(4), redesignated subsec. (e) as (f) and inserted heading. Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 101-624, §§ 1497(1), 1615(c)(5), redesignated subsec. (f) as (g) and inserted heading. Former subsec. (g) redesignated (h).

Pub. L. 101-624, § 1497(3), which directed insertion of “and subsection (e)” after “subsection (b)”, could not be executed because “subsection (b)” did not appear in text.

Subsec. (h). Pub. L. 101-624, §§ 1497(1), 1615(c)(6), redesignated subsec. (g) as (h) and inserted heading. Former subsec. (h) redesignated (i).

Subsec. (i). Pub. L. 101-624, §§ 1497(1), 1615(c)(7), redesignated subsec. (h) as (i) and inserted heading. Former subsec. (i) redesignated (j).

Subsec. (j). Pub. L. 101-624, § 1615(b), added subsec. (j) relating to emphasis on sustainable agriculture.

Pub. L. 101-624, § 1497(1), redesignated subsec. (i), relating to application of other laws, as (j).

Subsecs. (k) and (l). Pub. L. 101-624, § 1615(b), added subsecs. (k) and (l).

1985—Subsec. (b). Pub. L. 99-198, § 1409(a)(1), (2), substituted in third sentence par. “(2) research, with emphasis on biotechnology,” for “(2) research” and added

pars. (7) and (8), and prohibited any grant under subsec. (b) for any purpose for which a grant may be made under subsec. (d) or for the planning, repair, rehabilitation, acquisition, or construction of a building or a facility.

Pub. L. 99-198, § 1409(a)(3), in concluding provisions substituted appropriations authorization of \$70,000,000 annually for fiscal years ending Sept. 30, 1986, through Sept. 30, 1990 for prior authorization of 25, 30, 35, and 40 million dollars for fiscal years ending Sept. 30, 1978, through Sept. 30, 1981, and 50 million dollars annually for fiscal years ending Sept. 30, 1982, through Sept. 30, 1985, and for any subsequent fiscal year not in excess of such sums as may be authorized by law; and authorized retention of four percent of appropriated funds for payment of administrative costs.

Subsec. (c). Pub. L. 99-198, § 1409(b)(1), prohibited any grant under subsec. (c) for any purpose for which a grant may be made under subsec. (d) or for the planning, repair, rehabilitation, acquisition, or construction of a building or a facility.

Pub. L. 99-198, § 1409(b)(2), authorized retention of four percent of appropriated funds for payment of administrative costs.

Subsec. (i). Pub. L. 99-198, § 1409(c), added subsec. (i). 1981—Subsec. (b). Pub. L. 97-98, § 1415(a), inserted “and the National Agricultural Research and Extension Users Advisory Board” and provision specifying what is included in high priority research and substituted “for each of the fiscal years ending September 30, 1982, September 30, 1983, September 30, 1984, and September 30, 1985” for “for the fiscal year ending September 30, 1982”.

Subsec. (c). Pub. L. 97-98, § 1415(b), in par. (1) inserted “research foundations established by land-grant colleges and universities,” in par. (2) inserted reference to research foundations established by land-grant colleges and universities, colleges and universities receiving funds under the Act of October 10, 1962, and accredited schools or colleges of veterinary medicine, and added subpar. (D).

Subsec. (d). Pub. L. 97-98, § 1415(c), in provision preceding par. (1) substituted provision directing that annual grants be made to support the renovation and refurbishment, including energy retrofitting, of research spaces in buildings or spaces to be used for research, and the purchase and installation of fixed equipment in such spaces and providing that grants may be used for new construction only for auxiliary facilities and fixed equipment used for research in such facilities, such as greenhouses, insectaries, and research farm structures and installations for provision that grants be made to support the purchase of equipment, supplies, and land, and the construction, alteration, or renovation of buildings, necessary for the conduct of food and agricultural research and added pars. (3) and (4).

1977—Pub. L. 95-113 designated existing provisions as subsec. (e) and a part of subsec. (b) and added the remainder of subsec. (b) and subsecs. (a), (c), (d), (f), (g), and (h).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Section 1409(a)(3) of Pub. L. 99-198 provided that the amendment made by that section is effective Oct. 1, 1985.

Section 1409(b)(2) of Pub. L. 99-198 provided that the amendment made by that section is effective Oct. 1, 1985.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 136w-7, 2209b, 3222, 3311, 3315, 3319, 5924, 5925, 5925a, 5925b, 7621 of this title.

**§ 450j. Indemnity payments to dairy farmers and manufacturers of dairy products; milk removed for its residue of chemical or toxic substances; nuclear radiation or fallout contaminants; other legal recourse**

The Secretary of Agriculture is authorized to make indemnity payments for milk or cows producing such milk at a fair market value, to dairy farmers who have been directed since January 1, 1964 (but only since August 10, 1973, in the case of indemnity payments not authorized prior to August 10, 1973), to remove their milk, and to make indemnity payments for dairy products at fair market value to manufacturers of dairy products who have been directed since November 30, 1970, to remove their dairy products from commercial markets because of residues of chemicals registered and approved for use by the Federal Government at the time of such use. The Secretary is also authorized to make indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of this section if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer: *Provided*, That no indemnity payment may be made for contamination resulting from such residues of chemicals or toxic substances if the Secretary determines within thirty days after the date of application for payment that other legal recourse is available to the farmer. Any indemnity payment to any farmer shall continue until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

(Pub. L. 90-484, §1, Aug. 13, 1968, 82 Stat. 750; Pub. L. 91-524, title II, §204(b), Nov. 30, 1970, 84 Stat. 1362; Pub. L. 93-86, §1(5)(B), Aug. 10, 1973, 87 Stat. 223; Pub. L. 95-113, title II, §205(1), Sept. 29, 1977, 91 Stat. 920.)

## PRIOR PROVISIONS

The following Acts authorized indemnity payments for the periods ending as indicated:

June 30, 1968—Pub. L. 90-95, §1, Sept. 28, 1967, 81 Stat. 231.

June 30, 1967—Pub. L. 89-794, title III, §301(c), Nov. 8, 1966, 80 Stat. 1465.

June 30, 1966—Pub. L. 89-253, §24, Oct. 29, 1965, 79 Stat. 977.

June 30, 1965—Pub. L. 89-16, title III, §303, Apr. 30, 1965, 79 Stat. 108.

Jan. 31, 1965—Pub. L. 88-452, title III, §331, Aug. 20, 1964, 78 Stat. 525.

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1977—Pub. L. 95-113 authorized indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his

milk from commercial markets because of the presence of products of nuclear radiation or fall-out if such contamination is not due to the fault of the farmer, or because of residues of chemicals or toxic substances not included under the first sentence of this section if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, and inserted provision that no indemnity payment may be made for contamination resulting from residues of chemicals or toxic substances if the Secretary determines within thirty days after the date of application for payment that other legal recourse is available to the farmer.

1973—Pub. L. 93-86 inserted “for milk or cows producing such milk” after “The Secretary of Agriculture is authorized to make indemnity payments” and “(but only since August 10, 1973, in the case of indemnity payments not authorized prior to August 10, 1973)” after “January 1, 1964” and substituted “, and to make indemnity payments for dairy products at fair market value to” for “and” after “remove their milk” and “of” for “it contained” before “residues of chemicals”.

1970—Pub. L. 91-524 inserted “and manufacturers of dairy products who have been directed since November 30, 1970, to remove their dairy products,” after “milk”, in first sentence, and substituted “Any indemnity payment to any farmer shall continue” for “Such indemnity payments shall continue to each dairy farmer” in second sentence.

## EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 450k, 450l of this title.

**§ 450k. Authorization of appropriations for dairy farmer indemnities**

There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of sections 450j to 450l of this title.

(Pub. L. 90-484, §2, Aug. 13, 1968, 82 Stat. 750.)

## PRIOR PROVISIONS

The following Acts authorized indemnity payments for the periods ending as indicated:

June 30, 1968—Pub. L. 90-95, §2, Sept. 28, 1967, 81 Stat. 231.

June 30, 1967—Pub. L. 89-794, title III, §301(c), Nov. 8, 1966, 80 Stat. 1465.

June 30, 1966—Pub. L. 89-253, §24, Oct. 29, 1965, 79 Stat. 977.

June 30, 1965—Pub. L. 89-16, title III, §303, Apr. 30, 1965, 79 Stat. 108.

Jan. 31, 1965—Pub. L. 88-452, title III, §331, Aug. 20, 1964, 78 Stat. 525.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 450l of this title.

**§ 450l. Expiration of dairy farmer indemnity program**

The authority granted under sections 450j to 450l of this title shall expire on September 30, 1995.

(Pub. L. 90-484, §3, Aug. 13, 1968, 82 Stat. 750; Pub. L. 91-524, title II, §204(a), Nov. 30, 1970, 84 Stat. 1361; Pub. L. 93-86, §1(5)(A), Aug. 10, 1973, 87 Stat. 223; Pub. L. 95-113, title II, §205(2), Sept. 29, 1977, 91 Stat. 920; Pub. L. 97-98, title I, §105, Dec.